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UNHCR ACTIVITIES FINANCED BY VOLUNTARY FUNDS: REPORT FOR 1993-1994 AND PROPOSED PROGRAMMES AND BUDGET FOR 1995

PART III. EUROPE

Section 8 - Germany

(submitted by the High Commissioner)

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III.8 GERMANY

Country Overview

Characteristics of the refugee population

1. During 1993, 322,599 persons applied for asylum in Germany, a 26 per cent decrease over the previous year (438,200). This number accounts for about 72 per cent of all asylum applications filed in Western and Central Europe in 1993. The asylum-seekers originated mainly from Romania (22.8 per cent), the Federal Republic of Yugoslavia (22.5 per cent), Bulgaria (7 per cent), Bosnia and Herzegovina (6.6 per cent), Turkey (5.9 per cent), Algeria (3.5 per cent), Viet Nam (3.4 per cent), Armenia (2 per cent), Afghanistan (1.7 per cent) and the Russian Federation (1.6 per cent).

2. In the first four months of 1994, 44,611 persons applied for asylum, which represents a 72 per cent decrease in comparison to the same period in 1993 (161,324). A total of 58 per cent of asylum-seekers came from the Federal Republic of Yugoslavia, Romania, Turkey, and Bosnia and Herzegovina.

3. According to Government estimates, the number of persons staying in Germany with refugee status or with some form of temporary protection at 31 December 1993 amounted to some 1.06 million. This figure includes an estimated 200,000 Bosnians who were enjoying temporary protection in Germany in April 1994. In addition, Germany extended temporary protection to an estimated 100,000 persons who had fled to Germany from Croatia before 22 May 1992.

Major developments (1993 and first quarter 1994)

4. Asylum continued to be one of the dominant political issues in Germany in 1993. On 1 July 1993, new asylum legislation and an amendment to the asylum provision of the German Constitution came into force. It introduced notions of safe country of origin and safe country of asylum and established an accelerated procedure for manifestly unfounded asylum requests at airports. Earlier in the year, UNHCR had been invited to present in parliamentary hearings its views regarding the draft asylum legislation and amendment of the Constitution, and the Office focused in this connection on the necessary procedural safeguards. Implementation of the new legislation in the second half of the year resulted in a sharp, almost 50 per cent decrease in the number of applications filed for refugee status in Germany. This trend intensified during the first four months of 1994.

5. The efforts of the German Government to combat xenophobia and right-wing radicalism and to prevent physical attacks on foreigners, in particular asylum-seekers, have been strongly supported by the German public and are reflected in official statistics. During 1993, there were 1,322 registered attacks on foreigners, including refugees and asylum-seekers, compared with 2,283 during 1992.

6. In April 1994, the German Government concluded a readmission agreement with Croatia concerning the return of Croatians. Croats who had enjoyed temporary

protection in Germany were required, as of 1 May 1994, to commence their return home in phases, with the compulsory return of those from occupied or war ravaged parts of Croatia delayed until January 1995.

Programme objectives and priorities

7. In 1994 and 1995, UNHCR will assist operational partners to improve their performance and effectiveness in respect of legal protection and representation of asylum-seekers and refugees country-wide through training activities organized by the Training Officer in cooperation with a network of lawyers and associations active in this field. This should further reduce the number of individual cases that turn directly to UNHCR for advice.

8. The Branch Office will continue to ensure that adequate procedural and social counselling is available to asylum-seekers through voluntary agencies, especially in reception centres where asylum-seekers are compelled to reside for an initial three months. Special attention will be given to vulnerable groups (single women and unaccompanied children, as well as victims of trauma) through the development of self-help groups and specialized counselling centres, particularly in the new Federal States.

9. Public information activities to familiarize the general public with the reasons for refugee movements as well as the legal and social problems faced by asylum-seekers and refugees will be expanded in 1994. These activities include the systematic sharing of relevant information with the media through interviews and the further development of key contacts in the media for the publication of information and special articles and features.

10. Sub-Office Zirndorf will continue to monitor the practice of the Federal Office for the Recognition of Foreign Refugees as well as assist with the coordination of UNHCR's activities in the new Federal States.

Arrangements for implementation/related inputs

11. UNHCR's assistance activities in Germany are implemented through the German Red Cross, Caritas and Diakonisches Werk. Through implementing agreements with these agencies, UNHCR supports their community service work and the legal, social and psycho-social counselling of refugees and asylum-seekers throughout the country.

12. UNHCR's legal assistance programme involves a network consisting of 55 lawyers who are under contract with the above-mentioned three voluntary agencies to which the Branch Office gives policy guidance and legal advice. UNHCR also subsidizes costs of legal aid in precedent-setting cases.

General Programmes

(a) Variations in planned activities in 1993

13. During the second half of 1993, the legal counsellors' network adapted its activities to provide advice to asylum-seekers facing changes under the new legislation which came into force in mid-1993. At the same time, budgetary savings were achieved through exchange rate gains.

(b) 1994 planned implementation

14. Programme activities will largely follow the pattern of 1993. Established voluntary agencies will continue to provide legal and psycho-social counselling to refugees under the local settlement project. Implementation of the new legislation will require more emphasis to be placed on procedural counselling for all asylum-seekers, as well as on the expansion of activities for women refugees.

15. Apart from support for ongoing women's projects, an expansion is foreseen, notably to cover the new Federal States of the former German Democratic Republic adequately. New counselling centres for refugee women and refugee women's groups will be established in Greifswald and Vorpommern, with a branch in Stralsund. They will receive a grant in order to consolidate the present structure for serving some 500 refugees and asylum-seekers. Two refugee women coordinators in Leipzig and possibly Berlin will be appointed. The two psycho-social counselling centres in Cologne and Dusseldorf will be supported through grants.

16. The network of 55 lawyers throughout Germany will continue to provide legal advice to asylum-seekers and refugees.

17. The UNHCR legal aid fund will pay lump-sum pre-trial costs and will bear the legal costs for precedent-setting cases, where no legal aid is granted from public funds or where the claim is turned down, without subsequent reimbursement of costs.

18. Legal research and especially translation into German of important legal and human rights documents have proven their usefulness in démarches to the administrative courts. Funds have therefore also been set aside for this purpose.

19. Funds have been allocated to strengthen the training activities of the Office, aimed primarily at the federal authorities, the judiciary and lawyers. In addition, provisions have been made for activities in the public information and fund-raising areas in order to mobilize support in Germany for the cause of refugees and the work of UNHCR.

(c) 1995 programme proposals

Local Settlement

20. As in previous years, a local settlement project in Germany is proposed for 1995. The project will support voluntary agency activities in the fields of procedural, legal and social counselling, as well as UNHCR activities in public information and fund-raising.

21. UNHCR proposes continued support for the non-governmental organization (NGO) network of legal counsellors as well as the setting up of new NGO structures with a view to reducing the amount of individual casework handled by UNHCR directly. UNHCR will continue to provide legal aid in precedent-setting cases, where other sources of funds are not available.

22. Efforts will be made gradually to phase down support for well-established NGOs which have been concentrating on psycho-social activities in the western part of Germany and to focus assistance on the enhancement of NGO structures in the former German Democratic Republic, in particular in the area of social counselling for vulnerable groups.

23. Training activities undertaken by UNHCR for the benefit of NGOs, lawyers and Government officials will be an important part of activities in 1995.

24. UNHCR will intensify public information and fund-raising activities in Germany in 1995, so as to build on 1994 achievements.

Programme Delivery and Administrative Support Costs

(a) Variations in planned activities in 1993

25. An increase in expenditure of some 35 per cent in local salaries was offset by savings mainly under common staff costs, extra-regional travel and non-expendable property.

(b) 1994 planned implementation

26. The 1994 revised budget is higher than the initial budget mainly due to the above-mentioned increase in salaries. A Local Area Network computer system will also be installed which will require the purchase of new equipment. Two posts which were scheduled for discontinuation in December 1994, namely an Associate Social Services Officer and a Senior Secretary, were extended until December 1995 because of ongoing activities related to the Special Operation for Former Yugoslavia.

(c) 1995 programme proposals

27. All time-limited posts were extended to 31 December 1995. Expenditure, including public information activities, is expected to be similar to 1994 with the exception of non-expendable property, which is expected to be lower as the Local Area Network equipment should have been purchased and installed during 1994.

UNHCR EXPENDITURE IN GERMANY

(in thousands of United States dollars)

1993	1994		1995	
AMOUNT OBLIGATED	ALLOCATION APPROVED BY 1993 EXCOM	PROPOSED REVISED ALLOCATION	SOURCE OF FUNDS AND TYPE OF ASSISTANCE	PROPOSED ALLOCATION/ PROJECTION
GENERAL PROGRAMMES (1)				
789.2	1,019.6	989.6	LOCAL SETTLEMENT	1,089.6
–	–	1,163.0	PROGRAMME DELIVERY See Annexes I a and II a	1,127.5
789.2	1,019.6	2,152.6	SUB-TOTAL OPERATIONS	2,217.1
1,424.1	1,371.0	327.2	ADMINISTRATIVE SUPPORT See Annexes I b and II b	310.5
2,213.3	2,390.6	2,479.8	T O T A L (1)	2,527.6
SPECIAL PROGRAMMES (2)				
324.6	–	–	OTHER TRUST FUNDS	–
4.0	94.5	–	HUMANITARIAN ASSISTANCE TO DISPLACED PERSONS FROM THE FORMER YUGOSLAVIA	–
–	–	212.7	PROGRAMME DELIVERY See Annexes I a and II a	131.7
328.6	94.5	212.7	T O T A L (2)	131.7
2,541.9	2,485.1	2,692.5	GRAND TOTAL (1+2)	2,659.3